

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

11 UNITED STATES OF AMERICA, ) No. CR-09-00547 SBA  
12 Plaintiff, ) ORDER GRANTING STIPULATED  
13 v. ) REQUEST TO CONTINUE HEARING  
14 KAO KWENG SAEPHAN, ) DATE TO JANUARY 26, 2010 AND TO  
15 Defendant. ) EXCLUDE TIME UNDER THE SPEEDY  
16 ) TRIAL ACT  
17 ) Date: January 12, 2010  
18 ) Time: 9:00 a.m.  
19 ) Court: Hon. Saundra Brown  
20 ) Armstrong

19 The parties jointly requested that the hearing in this matter be continued from January 12,  
20 2010 to January 26, 2010, and that time be excluded under the Speedy Trial Act between January  
21 7, 2010 and January 26, 2010 to allow for the effective preparation of counsel, taking into  
22 account the exercise of due diligence.

23 The government has produced substantial discovery to defendant regarding five separate  
24 burglaries and six stolen firearms (over 130 pages of reports and 8 CDs of photographs). The  
25 government has also produced recorded telephone calls and other digital discovery. Defense  
26 counsel has been given the opportunity to review the physical evidence recovered in this case  
27 and may need additional time to continue to review that evidence. Defense counsel also needs  
28 additional time to conduct legal research regarding potential immigration consequences for

STIP. REQ. TO CONTINUE HEARING DATE TO JANUARY 26, 2010 AND TO EXCLUDE TIME  
No. CR-09-00547 SBA

1 defendant of a conviction in this case. The parties agree the ends of justice served by granting  
2 the continuance outweigh the best interests of the public and defendants in a speedy trial. For  
3 these stated reasons, the Court finds that the ends of justice served by granting the continuance  
4 outweigh the best interests of the public and defendants in a speedy trial. Good cause appearing  
5 therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),

6         **IT IS HEREBY ORDERED** that the status hearing in this matter is continued from  
7 January 12, 2010 to January 26, 2010 at 9:00 a.m., and that time between January 7, 2010 and  
8 January 26, 2010 is excluded under the Speedy Trial Act to allow for the effective preparation of  
9 counsel, taking into account the exercise of due diligence.

10

11 DATED:1/11/10

*Saundra B Armstrong*  
HON. SAUNDRA BROWN ARMSTRONG  
United States District Judge

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28